



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

08/818,185 03/14/97 SCHNIER

R R0996-140

EXAMINER

TM02/1128

SCOTT A. STINEBRUNER
WOOD, HERRON & EVANS
2700 CAREW TOWER
441 VINE STREET
CINCINNATI OH 45202-2917

V.L.T.

ART UNIT

PAPER NUMBER

2152

DATE MAILED:

11/28/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/818,185

Applicant(s)
Schneider

Examiner
Thong Vu

Group Art Unit
2152

☒ Responsive to communication(s) filed on Sep 28, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-9, 11, 15-36, and 39 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-9, 11, 15-36, and 39 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing-Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2152

1. This office action is in response to Amendment D filed 9/28/2000. Amended claims 15-17 and claims 1-9,11,18-36 and 39 are pending. The rejections cited are as stated below.

2. Applicant's amendment filed 9/28/2000 have been fully considered but they are moot in view of the new ground(s) of rejection.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 11, 15-36, and 39 are rejected under 35 U.S.C. § 103 as being unpatentable over Cheng et al [Cheng 5,873,092] in view of McManis [5,680,461]

4. As per claim 28, Cheng discloses a computer product used to retrieve an object reference for a naming context from a server apparatus [Cheng Fig 5,col 3 line 1-12; 24,50; col 4 line 58;col 5 line 33-50;col 6 line 17-60]. However Cheng did not detail the object model program as the applet or signal bearing media bearing said applet. McManis taught a method for client-server communication using a virtual machine module as Java or applet for naming service [McManis col 2 line 60-65; co 3 line 12-33] wherein the naming service is used to name ORB objects. A client may using to find a desire object by name. Naming service returns an object reference. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Java program or applet for naming service object as taught by McManis into the Cheng's system in order to improve the client-server communication.

Art Unit: 2152

5. As per claims 29,30 and 22,23 Cheng-McManis disclose signal bearing media as transmission media or recordable media [Cheng Fig 1].
6. As per claim 31, Cheng-McManis disclose signal bearing comprises the Internet [McManis Fig 1].
7. As per claim 32, Cheng-McManis disclose web server having access to said object reference [Cheng col 4 line 58].
8. As per claims 1,7,21,33,34 contain the similar limitations set forth of method claim 28. Therefore, claims 1,7,21,33,34 are rejected for the same rationale set forth claim 1.
9. As per claims 2 and 15 , Cheng-McManis disclose the computer program comprises a web browser or Java-enable web browser [McManis col 2 line 60-65; co 3 line 12-33].
10. As per claim 3, Cheng-McManis discloses said contact with computer program is accomplished by a web browser located on said zero install client as inherent feature of Java program [McManis col 2 line 60-65; co 3 line 12-33]
11. As per claim 4, Cheng-McManis disclose object reference is stored in a web server directory [Cheng col 5 line 45]
12. As per claims 5, 8 and 36, Cheng-McManis disclose a stringified object reference [Cheng col 3 line 65]
13. As per claims 6 and 9, Cheng-McManis disclose a root naming context object as an inherent feature of naming context object [Cheng col 5 line 33-50;col 6 line 17-60]
14. As per claim 11, Cheng-McManis disclose contact with server system is accomplished by a web browser executing on client system and wherein the step of downloading said object

Art Unit: 2152

reference comprises downloading by a web server application [Cheng Fig 5,col 3 line 1-12; 24,50; col 4 line 58;col 5 line 33-50;col 6 line 17-60].

15. As per claims 16 and 35, Cheng-McManis disclose Java-enable web browser containing a COBRA compliant Java Object Request Broker as a design choice of Java program [McManis col 2 line 60-65; co 3 line 12-33]

16. As per claims 17 and 39, Cheng-McManis disclose server system includes a local service application and the step of downloading the object reference is performed by a web server application in server system [Cheng Fig 5,col 3 line 1-12; 24,50; col 4 line 58;col 5 line 33-50;col 6 line 17-60].

17. As per claim 18, Cheng-McManis disclose Web server includes a name object server

18. As per claim 19, Cheng-McManis disclose downloading an applet from web server to web browser and running applet on web browser; downloading an object request broker from web server [Cheng Fig 5,col 3 line 1-12; 24,50; col 4 line 58;col 5 line 33-50;col 6 line 17-60].

19. As per claim 20, Cheng-McManis disclose downloading the class of the object request broker from web server [Cheng Fig 5,col 3 line 1-12; 24,50; col 4 line 58;col 5 line 33-50;col 6 line 17-60].

20. As per claims 21 and 28 contain the similar limitations set forth of method claim 1 except the signal bearing media bearing said computer program Therefore, claims 21 and 28 are rejected for the same rationale set forth claim 1.

21. As per claims 24-27 contain the similar limitations set forth of method claims 3-6.

Therefore, claims 24-27 are rejected for the same rationale set forth claims 3-6.

Art Unit: 2152

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Mark Rinehart*, can be reached at (703) 305-4815.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to :

Commissioner of Patent and Trademarks

Washington , D.C. 20231

or faxed to :

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-7201 (for informal or draft communications, please label

“PROPOSAL” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Thong Vu

Nov 21, 2000



ROBERT B. HARRELL
PRIMARY EXAMINER